

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

THE BURLINGTON NORTHERN and)
SANTA FE RAILWAY COMPANY; STATE OF)
ILLINOIS, DEPARTMENT OF TRANSPORTATION)

T 02-0092

Stipulated Agreement regarding improving)
Burlington Northern and Santa Fe Railway)
Company public highway-railroad grade)
crossings located in Illinois by renewal of)
crossbuck signs and the installation of yield)
signs.)

RECEIVED
AUG 12 2003

Illinois Commerce Commission
RAIL SAFETY SECTION

SUPPLEMENTAL PETITION

Now comes supplemental petitioner, The Burlington Northern and Santa Fe Railway Company ("BNSF") by its attorneys, Kenneth J. Wysoglad & Associates and for its supplemental petition requests that the Illinois Commerce Commission enter a supplemental order granting BNSF additional time to and including July 23, 2004 in which to complete the work required to be performed by BNSF pursuant to the October 23, 2002 order entered by the Illinois Commerce Commission in the above captioned cause. In support of its supplemental petition, BNSF states as follows:

1. Pursuant to Stipulated Agreement entered into by and between BNSF, the Illinois Commerce Commission ("Commission") and Illinois Department of Transportation ("IDOT"), on October 23, 2002 the Commission entered its order in the above captioned cause directing the renewal of the existing crossbuck signs in accordance with the Manual on Uniform Traffic Control Devices and installation of yield signs mounted on the crossbuck sign posts at approximately 140 at grade crossing locations as enumerated in the

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Stipulated Agreement. All of the work required by the terms of the aforesaid stipulated agreement and order was to be completed by October 23, 2003.


(Exhibit I)

2. BNSF is currently in the process of proceeding with the installation of renewed crossbuck signs and installation of yield signs at various single track crossings as enumerated in the Stipulated Agreement and Order.
3. BNSF has requested to be relieved from certain of the dimensional requirements of Exhibit C to the Stipulated Agreement with respect to the sign installation at the multiple track crossing locations. BNSF is currently working with the Railroad Staff of the Commission to establish a test location for the installation of an alternative crossbuck and yield sign configuration. (See Exhibits 2 through 5 attached.)
4. The October 23, 2003 completion date provided in the order entered by the Commission in the above captioned cause does not permit BNSF to select a test site, install the alternative crossbuck/yield sign configuration, evaluate the same and after consultation with the Railroad Section of the Commission proceed to install the remaining crossbuck/yield sign installations by the October 23, 2003 date. BNSF reasonably believes that an additional nine (9) months, to and including July 23, 2004 will be necessary in order to complete the aforesaid test site evaluation and subsequent crossbuck / yield sign installation process.
5. BNSF's supplemental petition herein is not made for the purpose of delay but is made necessary to permit the parties to better evaluate the type of

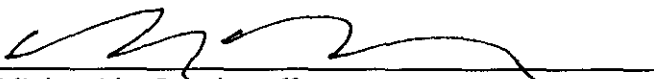
crossbuck/yield sign configuration that would be most effective in maintaining public safety.

Wherefore, supplemental petitioner, The Burlington Northern and Santa Fe Railway Company prays that the Illinois Commerce Commission enter a supplemental order granting The Burlington Northern and Santa Fe Railway Company additional time, to and including July 23, 2004 in which to complete the work required by the order entered by the Illinois Commerce Commission in the above captioned cause.

THE BURLINGTON NORTHERN AND SANTA
FE RAILWAY COMPANY


Cheryl Townlian

KENNETH J. WYSOGLAD & ASSOCIATES


Michael L. Sazdanoff

Kenneth J. Wysoglad & Associates
Attorneys for
The Burlington Northern and Santa Fe Railway Company
118 S. Clinton Street, Suite 700
Chicago, Illinois 60661
(312) 441-0333
Attorney No. 14755

STATE OF MISSOURI)
) SS
COUNTY OF GREENE)

VERIFICATION

Cheryl Townlian, being first duly sworn, deposes and states that she is Manager of Public Projects for The Burlington Northern and Santa Fe Railway Company, supplemental petitioner herein; that she is duly authorized by said railroad company to sign, verify and file the foregoing supplemental petition; and that the matters set forth in said supplemental petition are true and correct to the best of her knowledge, information and belief.

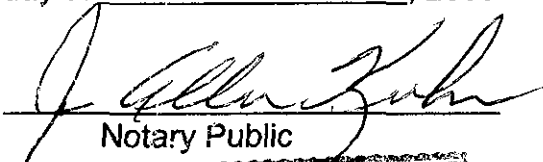
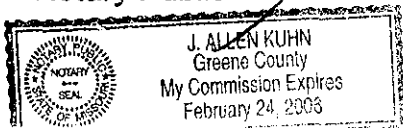


Cheryl Townlian
Manager, Public Projects

Subscribed to and sworn to

before me this July 29

day of _____, 2003


Notary Public

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

The Burlington Northern and Santa Fe Railway Company; :
State of Illinois, Department of Transportation :

Stipulated Agreement regarding improving public safety at : T02-0092
selected Burlington Northern and Santa Fe Railway :
Company public highway-railroad grade crossings located :
in Illinois by renewal of crossbuck signs and the installation :
of yield signs. :

ORDER

By the Commission:

On July 29, 2002, the Illinois Commerce Commission ("Commission") Transportation Division, Railroad Section, initiated the Stipulated Agreement procedure to improve public safety at certain public highway-railroad grade crossings of The Burlington Northern and Santa Fe Railway Company ("Company") located in Illinois by the renewal of crossbuck signs and the installation of yield signs.

On August 6, 2002, September 3, 2002 and September 10, 2002, the staff of the Commission, the Company and the Illinois Department of Transportation ("Department") respectively, executed the Stipulated Agreement according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law concerning the proposed safety improvements. The Stipulated Agreement contains an estimate of cost to accomplish the improvements and a division of cost among the parties and the Grade Crossing Protection Fund ("GCPF" or "Fund") of the Motor Fuel Tax Law.

The Commission, having given due consideration to the Stipulated Agreement and being fully advised in the premises, finds that:

- (1) the Commission has jurisdiction over the parties and the subject matter of this proceeding;
- (2) a list of the Company's 140 public highway-railroad grade crossings subject of this proceeding is attached as Exhibit A of the Stipulated Agreement appended hereto;
- (3) the parties agree that in the interest of public safety the improvements as set forth in Section 2 of the Stipulated Agreement, appended hereto, should be performed;

EXHIBIT 4

- (4) the cost for the proposed improvements should be divided among the parties and the GCPF of the Motor Fuel Tax Law, in accordance with the Law;
- (5) it is fair and reasonable that the Secretary of the Illinois Department of Transportation through the GCPF of the Motor Fuel Tax Law and the Company should be directed to bear their respective portions of the cost of the proposed improvements as set forth in Section 5 of the Stipulated Agreement appended hereto;
- (6) all bills for expenditures should be submitted to the Department as set forth in Section 6 of the Stipulated Agreement appended hereto; the final bill for expenditures from the Company should be clearly marked "Final Bill"; all bills should be submitted to the Department no later than twenty-four (24) months from the date of this Order; authorization for reimbursement from the Grade Crossing Protection Fund should expire twelve (12) months after the completion date specified in this Order; the Department should, at the end of the 24th month from the Commission's Order date, de-obligate all residual GCPF monies accountable for installation costs for this project;
- (7) the Company should file a written report within six (6) months from the date of this Order, with the Director of Processing and Information of the Commission's Transportation Division, stating the progress it has made toward completion of its work herein required; the report should include the name, title, mailing address, phone number and facsimile number of the employee responsible for management of this project, and additional information set forth in Section 4 and Section 6 of the Stipulated Agreement appended hereto;
- (8) at those crossings where stop signs now exist at the crossings, the Company should remove said signs upon installation of the new crossbuck and yield signs unless the stop sign(s) provides a dual-purpose to stop motorists at the crossing and at an adjacent highway intersection; where said dual-purpose stop sign(s) exists, if any, the yield sign(s) should not be installed and the stop sign(s) should be retained;
- (9) 625 ILCS 5/18c-1701 and 1704 require each "person", as defined by Section 18c-1104, to comply with every regulation or order of the Commission. These sections further provide that any person who fails to comply with a Commission regulation or order shall forfeit to the state not more than \$1,000 for each such failure, with each day's continuance of the violation being considered a separate offense. While the Commission expects all parties to comply with this Order in all matters addressed herein and in a timely manner, the Commission advises that any failure to comply may result in the assessment of such sanctions.

IT IS THEREFORE ORDERED that the terms of the Stipulated Agreement, appended hereto, executed by staff of the Commission, The Burlington Northern and Santa Fe Railway Company and the Illinois Department of Transportation on August 6, 2002, September 3, 2002 and September 10, 2002, respectively, be and they are hereby required to be met by the aforesaid parties.

IT IS FURTHER ORDERED that the Company be, and it is hereby required and directed to proceed immediately in performing the improvements as set forth in Section 2 of the Stipulated Agreement, appended hereto, and shall thereafter maintain same. The Company shall complete the work within twelve (12) months from the date of this Order.

IT IS FURTHER ORDERED that at those crossings where stop signs now exist at the crossings, the Company shall remove said signs upon installation of the new crossbuck and yield signs unless the stop sign(s) provides a dual-purpose to stop motorists at the crossing and at an adjacent highway intersection. Where said dual-purpose stop sign(s) exists, if any, the yield sign(s) shall not be installed and the stop sign(s) shall be retained.

IT IS FURTHER ORDERED that the cost of making the improvements hereinbefore required shall be divided among the parties and the Grade Crossing Protection Fund of the Motor Fuel Tax Law as set forth in Section 5 of the Stipulated Agreement appended hereto.

IT IS FURTHER ORDERED that all bills for expenditures shall be submitted to the Department as set forth in Section 6 of the Stipulated Agreement appended hereto, and that the final bill for expenditures from the Company shall be clearly marked "Final Bill".

IT IS FURTHER ORDERED that authorization for reimbursement from the Grade Crossing Protection Fund shall expire 12 months after the completion date specified in this Order. The Department shall, at the end of the 24th month from the Order date, de-obligate all residual GCPF monies accountable for installation costs for this project.

IT IS FURTHER ORDERED that the Company, within six (6) months from the date of this Order, shall submit a written report with the Director of Processing and Information, of the Commission's Transportation Division, stating the progress it has made toward completion of its work herein required. The report shall include the Commission Order Number, the Order date, the project completion date as noted in the Order, crossing information (Inventory Numbers and Railroad Mileposts), type of improvement, and project manager information (the name, title, mailing address, phone number and facsimile number of the employee responsible for management of this project.) The report shall also include the status of expenditures of the total project and percentage of completion of the project. If the project is behind schedule, the report must include a brief explanation of the reason(s) for the delay.

IT IS FURTHER ORDERED that the Company shall submit to the Director of Processing and Information, Transportation Division of the Commission within five (5) days of the completion of the work herein required of it, U.S. DOT Crossing Inventory Form (6180.71), one for each crossing, as written notice of said completion.

IT IS FURTHER ORDERED that any person making a Request For Extension Of Time up to 30 days to complete a project ordered by the Commission must file a request with the Director of Processing and Information no later than 14 days in advance of the scheduled deadline. An Administrative Law Judge will consider and decide the request.

IT IS FURTHER ORDERED that any person requesting an extension of time that exceeds 30 days must file a Petition For Supplemental Order with the Director of Processing and Information no later than 21 days in advance of the scheduled deadline. The Commission will decide Petitions For Supplemental Orders.

IT IS FURTHER ORDERED that Requests For Extension Of Time and Petitions For Supplemental Orders must include the reason(s) the additional time is needed to complete the work and the time within which the project will be completed. Prior to submitting a Request For Extension Of Time or a Petition For Supplemental Order, the person must notify the Commission's Rail Safety Program Administrator that it is unable to complete the project within the ordered timeframe.

IT IS FURTHER ORDERED that the Commission or its Administrative Law Judge reserves the right to deny Petitions For Supplemental Orders and Requests For Extension Of Time, if the reason(s) supporting the request is insufficient or where it appears the person has not made a good faith effort to complete the project within the allotted time. Failure of the Commission or Administrative Law Judge to act on a pleading prior to the deadline means the originally ordered completion date remains in effect.

IT IS FURTHER ORDERED that, subject to Sections 18c-2201 and 18c-2206 of the Law, this is the final decision subject to the Administrative Review Law.

By Order of the Commission this 23rd day of October, 2002.

Kevin H. Wright

Chairman

JUDGE
<i>mes</i>
SECTION CHIEF
<i>[Signature]</i>
ORDERS SUPERVISOR

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT

ORIGINAL

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as the "Commission", The Burlington Northern and Santa Fe Railway Company, hereinafter referred to as the "Company" and the State of Illinois, Department of Transportation, hereinafter referred to as the "Department".

WITNESSETH:

WHEREAS, Commission staff has initiated this public safety project to renew the existing crossbuck signs and install yield signs at each of the Company's public grade crossings listed on Exhibit A attached hereto;

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of the Commission by Order.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

Section 2 The parties are of the opinion that the following improvements should be performed in the interest of public safety at those crossings listed on Exhibit A attached hereto:

- (a) the renewal of the existing crossbuck signs in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and installation of yield signs (R1-2) mounted on the crossbuck sign posts as indicated on Exhibit C attached hereto; the signs should not be installed at those crossings that are closed by Order of the Commission and at those crossings where automatic warning devices are installed and in service prior to the completion date set forth in this Agreement;

Section 3 The Company has prepared a detailed estimate of cost to accomplish the proposed improvements; said estimate is attached as Exhibit B.

Section 4 The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the submission of a progress report should be six (6) months from the Order date which shall include the status of expenditures of the total project and percentage of completion of the project; if the project is behind schedule the report must include a brief explanation of the reason(s) for the delay; the Company further agrees that the time for the completion of the proposed improvements should be twelve (12) months from the date of Commission Order subsequent to this agreement.

Section 5 The parties hereto agree that an equitable division of cost for the proposed improvements should be:

- a) the total cost to renew the crossbuck signs in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and install yield signs at the Company's 140 grade crossings listed on Exhibit A attached is estimated at \$211,400; 50% of this cost, in an amount not to exceed \$105,700, should be funded by the Grade Crossing Protection Fund ("Fund") with the remaining cost borne by the Company; the cost to maintain all of the new signs should be borne by the Company.

Section 6 Special Provisions. All bills for expenditures authorized to be reimbursed from the Grade Crossing Protection Fund shall be submitted to the Department as follows:

Illinois Department of Transportation
Engineer of Local Roads and Streets
Darrell McMurray, Bureau Chief, Attention: Henry Cronister, Sr.
Room 205, 2300 South Dirksen Parkway
Springfield, Illinois 62764

The final bill for expenditures shall be clearly marked "Final Bill". All bills shall be submitted to the Department no later than twenty-four (24) months from the date of Commission Order subsequent to this agreement. Authorization for reimbursement from the Grade Crossing Protection Fund shall expire twelve (12) months after the completion date specified in the Order. The Department shall, at the end of the 24th month from the Commission's Order date, de-obligate all residual funds accountable for installation costs for this project.

Progress billing will be based upon the work performed during the billing period. Progress payment for material will be based on the actual cost of material purchased and received by the Company during the billing period. Progress payment for labor costs will be based upon the number of crossings completed by the Company during the billing period.

The Company shall file its progress report within six (6) months from the Commission Order subsequent to this agreement with the Director of Processing Information of the Commission's Transportation Division. The report shall include Commission Order Number, the Order Date, the project completion date as noted in the Order, crossing information (Inventory Numbers and Railroad Mileposts), project improvement, and project manager information (name, title, mailing address, telephone number and facsimile number of the employee responsible for management of the project.)

At those crossings where stop signs now exist at the crossing, the Company shall install said signs upon installation of the new crossbuck and yield signs unless the stop signs provide a dual-purpose to stop motorists at the crossing and at an adjacent intersection. Where said dual-purpose stop signs exist, if any, the yield sign(s) shall be installed and the stop signs shall be retained.

Section 7 This agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this agreement by all parties, the Commission shall issue an appropriate Order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

In Witness Whereof, the parties have caused this agreement to be executed by their authorized officers, as of the dates indicated herein.

Executed by the Commission this 6th day of August, 2002.



Michael E. Stead
Rail Safety Program Administrator

Attest:



Daniel S. Drewes
Rail Safety Section
Transportation Division

Illinois Commerce Commission Stipulated Agreement No. 1012 concerning renewal of crossbuck signs and installation of yield signs at selected Burlington Northern and Santa Fe Railway Company grade crossings located in Illinois.

Executed by The Burlington Northern and Santa Fe Railway Company this 3 day of September 2002.

By

Chaf Jirka
(Title)

Attest:

Allen Zuh

APPROVED AS TO FORM 8/13/02

Wen
Burlington Northern Santa Fe Railway Company

Illinois Commerce Commission Stipulated Agreement No. 1012 concerning renewal of crossbuck signs and installation of yield signs at selected Burlington Northern and Santa Fe Railway Company grade crossings located in Illinois.

Executed by the Department this 10th day of September, 2002.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By James G. Easterday, Jr.
Director of Highways

Crossing	Main AAR	Line	MilePost	Crossing Type	Branch	County Name	In/Near	City Name	Street Name	Highway	Warning Device
1 004398H	BNSF	ATSM	53.93	Pub-AtGrade	CORWITH-MP 59	WILL	Near	Elwood	Cooper Rd	TR 30	Crossbucks
2 004400G	BNSF	ATSM	54.66	Pub-AtGrade	CORWITH-MP 59	WILL	Near	Elwood	Ceco Rd	TR 289	Crossbucks
3 004410M	BNSF	ATSM	60.83	Pub-AtGrade	MP59-FT MADISON	GRUNDY	Near	Coal City	Jugtown Rd	TR 172	Crossbucks
4 004413H	BNSF	ATSM	62.63	Pub-AtGrade	MP59-FT MADISON	GRUNDY	Near	Coal City	Reed Rd	TR 107	Crossbucks
5 004414P	BNSF	ATSM	63.51	Pub-AtGrade	MP59-FT MADISON	GRUNDY	Near	Mazon	Tynan Rd	TR 128	Crossbucks
6 004416D	BNSF	ATSM	65.09	Pub-AtGrade	MP59-FT MADISON	GRUNDY	Near	Mazon	Mazon Rd	TR 120	Crossbucks
7 004432M	BNSF	ATSM	71.32	Pub-AtGrade	MP59-FT MADISON	GRUNDY	Near	Verona	Buffalo Rd	TR 56	Crossbucks
8 004436P	BNSF	ATSM	72.96	Pub-AtGrade	MP59-FT MADISON	GRUNDY	Near	Kinsman	Gonnam Rd	TR 32	Crossbucks
9 004453F	BNSF	ATSM	75.73	Pub-AtGrade	MP59-FT MADISON	GRUNDY	Near	Kinsman	LaSalle Rd	TR 2	Crossbucks
10 004457H	BNSF	ATSM	76.90	Pub-AtGrade	MP59-FT MADISON	LA SALLE	Near	Ransom	E 29th Rd	TR 458	Crossbucks
11 004465A	BNSF	ATSM	81.22	Pub-AtGrade	MP59-FT MADISON	LA SALLE	Near	Ransom	E 25th Rd	TR 414	Crossbucks
12 004469C	BNSF	ATSM	83.31	Pub-AtGrade	MP59-FT MADISON	LA SALLE	Near	Ransom	E 23rd Rd	TR 382	Crossbucks
13 004495S	BNSF	ATSM	92.49	Pub-AtGrade	MP59-FT MADISON	LIVINGSTON	Near	Streator		TR 9	Crossbucks
14 004511Y	BNSF	ATSM	101.23	Pub-AtGrade	MP59-FT MADISON	LA SALLE	Near	Dana	E 10th Rd	TR 166	Crossbucks
15 004513M	BNSF	ATSM	103.28	Pub-AtGrade	MP59-FT MADISON	LA SALLE	Near	Rutland	E 8th Rd	TR 142	Crossbucks
16 004515B	BNSF	ATSM	104.30	Pub-AtGrade	MP59-FT MADISON	LA SALLE	Near	Rutland	E 7th Rd	TR 122	Crossbucks
17 004520X	BNSF	ATSM	107.44	Pub-AtGrade	MP59-FT MADISON	MARSHALL	Near	Toluca	TH-S 60	TR 148	Crossbucks
18 004522L	BNSF	ATSM	108.47	Pub-AtGrade	MP59-FT MADISON	MARSHALL	Near	Toluca	TH-S 57	TR 142	Crossbucks
19 004527V	BNSF	ATSM	111.44	Pub-AtGrade	MP59-FT MADISON	MARSHALL	Near	Toluca	TH-S 51	TR 130	Stop Sign (std)
20 004529J	BNSF	ATSM	113.24	Pub-AtGrade	MP59-FT MADISON	MARSHALL	Near	La Rose	TH-S 47	TR 128	Crossbucks
21 004534F	BNSF	ATSM	115.40	Pub-AtGrade	MP59-FT MADISON	MARSHALL	Near	La Rose	TH-S 44	TR 112	Crossbucks
22 004589T	BNSF	ATSM	136.84	Pub-AtGrade	MP59-FT MADISON	PEORIA	Near	Edelstein	Centerville Rd	TR 300	Crossbucks
23 004593H	BNSF	ATSM	139.43	Pub-AtGrade	MP59-FT MADISON	PEORIA	Near	Edelstein	Anderson Rd	TR 282	Crossbucks
24 004615F	BNSF	ATSM	152.60	Pub-AtGrade	MP59-FT MADISON	PEORIA	Near	Laura	Whittaker Rd	TR 588	Crossbucks
25 004635S	BNSF	ATSM	164.78	Pub-AtGrade	MP59-FT MADISON	KNOX	Near	Dahinda		TR 240	Crossbucks
26 004638M	BNSF	ATSM	167.88	Pub-AtGrade	MP59-FT MADISON	KNOX	Near	E Galesburg		TR 207	Crossbucks
27 004683G	BNSF	ATSM	182.22	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	CAMERON		TR 115	Crossbucks
28 004685V	BNSF	ATSM	183.31	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	CAMERON		TR 232	Crossbucks
29 004689X	BNSF	ATSM	185.03	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	CAMERON		TR 206	Crossbucks
30 004693M	BNSF	ATSM	187.26	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	CAMERON		TR 174B	Crossbucks
31 004694U	BNSF	ATSM	188.32	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	CAMERON		TR 160	Crossbucks
32 004695B	BNSF	ATSM	189.49	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	CAMERON		TR 142	Crossbucks
33 004703R	BNSF	ATSM	195.19	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	KIRKWOOD		TR 70	Crossbucks
34 004704X	BNSF	ATSM	196.33	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	KIRKWOOD		TR 62	Crossbucks
35 004706L	BNSF	ATSM	197.47	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	KIRKWOOD		TR 48	Crossbucks
36 004708A	BNSF	ATSM	198.60	Pub-AtGrade	MP59-FT MADISON	WARREN	Near	SMITHSHIRE		TR 36	Stop Sign (standard)
37 004742G	BNSF	ATSM	219.79	Pub-AtGrade	MP59-FT MADISON	HENDERSON	In	LOMAX		MUN3500	Crossbucks
38 004745C	BNSF	ATSM	220.98	Pub-AtGrade	MP59-FT MADISON	HENDERSON	Near	LOMAX		TR 209	Crossbucks
39 063098E	BNSF	A	196.05	Pub-AtGrade	GALES-PJCT	HENDERSON	In	GLADSTONE	LIBERTY	MUN6900	Crossbucks
40 063101K	BNSF	A	196.53	Pub-AtGrade	GALES-PJCT	HENDERSON	In	GLADSTONE		MUN6000	Crossbucks
41 063774X	BNSF	Q	231.97	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	AUGUSTA		TR 472	Crossbucks
42 063775E	BNSF	Q	231.23	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	AUGUSTA		TR 35	Crossbucks
43 063776L	BNSF	Q	230.88	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	AUGUSTA		TR 474	Crossbucks

Crossing	Main AAR	Line	Line Post	Crossing Type	Branch	County Name	IntNear	City Name	Street Name	Highway	Warning
63778A	BNSF	Q	230.08	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	AUGUSTA	E 1450TH ST.	TR19	Crossbucks
63781H	BNSF	Q	199.99	Pub-AtGrade	GALES-QUINCY	MCDONOUGH	Near	MACOMB		TR328	Crossbucks
63783W	BNSF	Q	198.40	Pub-AtGrade	GALES-QUINCY	MCDONOUGH	Near	BARDOLPH		TR350	Crossbucks
63784D	BNSF	Q	197.28	Pub-AtGrade	GALES-QUINCY	MCDONOUGH	Near	BUSHNELL		TR366	Crossbucks
63789M	BNSF	Q	193.08	Pub-AtGrade	GALES-QUINCY	MCDONOUGH	Near	BUSHNELL		TR95	Crossbucks
63790G	BNSF	Q	192.68	Pub-AtGrade	AURORA-SAVANNA	DE KALB	Near	Waterman	Crego Rd	TR102	Crossbucks
63793A	BNSF	B	60.00	Pub-AtGrade	AURORA-SAVANNA	DE KALB	Near	Waterman	Kane Rd	MUN 6080	Crossbucks
63796K	BNSF	B	64.51	Pub-AtGrade	AURORA-SAVANNA	DE KALB	Near	Shabbona	Indian Rd	TR 44	Crossbucks
63798F	BNSF	B	66.60	Pub-AtGrade	AURORA-SAVANNA	LEE	Near	Shabbona	Challand Rd	TR 99C	Crossbucks
63798F	BNSF	B	68.89	Pub-AtGrade	AURORA-SAVANNA	LEE	Near	Steward	McGair Rd	TR 286	Crossbucks
63798F	BNSF	B	73.34	Pub-AtGrade	AURORA-SAVANNA	LEE	Near	Chana	Woodlawn Rd	TR 95A	Crossbucks
63798F	BNSF	B	73.92	Pub-AtGrade	AURORA-SAVANNA	OGLE	Near	Polo	Reynolds Rd	TR 312	Crossbucks
63798F	BNSF	B	75.00	Pub-AtGrade	AURORA-SAVANNA	OGLE	Near	Polo	Knoll Rd	TR 100	Crossbucks
63798F	BNSF	B	89.35	Pub-AtGrade	AURORA-SAVANNA	OGLE	Near	Millidgeville	Valentine Rd	TR 88	Crossbucks
63798F	BNSF	B	108.40	Pub-AtGrade	AURORA-SAVANNA	OGLE	Near	Chadwick	Evergreen	TR 14	Crossbucks
63798F	BNSF	B	109.41	Pub-AtGrade	AURORA-SAVANNA	CARROLL	Near	Chadwick	Wilson Mill	TR 198	Crossbucks
63798F	BNSF	B	116.89	Pub-AtGrade	AURORA-SAVANNA	CARROLL	Near	Savanna	Livingood Rd	TR 183	Stop Sign (std)
63798F	BNSF	B	0.00	Pub-AtGrade	AURORA-SAVANNA	CARROLL	Near	Galena	Prowant Rd	TR 128	Crossbucks
63798F	BNSF	B	16.35	Pub-AtGrade	AURORA-SAVANNA	CARROLL	Near	Galena	Airport Rd	TR 119	Crossbucks
63798F	BNSF	B	127.27	Pub-AtGrade	AURORA-SAVANNA	JO DAVIESS	Near	Galena	River Rd	TR 28	Crossbucks
63798F	BNSF	B	137.15	Pub-AtGrade	SAVANNA-ST PAUL	JO DAVIESS	Near	QUINCY	River Rd	TR 154	Crossbucks
63798F	BNSF	B	168.85	Pub-AtGrade	SAVANNA-ST PAUL	JO DAVIESS	Near	QUINCY		TR 271	Crossbucks
63798F	BNSF	B	169.07	Pub-AtGrade	SAVANNA-ST PAUL	JO DAVIESS	Near	QUINCY		TR 166	Crossbucks
63798F	BNSF	B	254.15	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		CH35	Crossbucks
63798F	BNSF	B	253.90	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR244	Crossbucks
63798F	BNSF	B	252.83	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR286	Crossbucks
63798F	BNSF	B	251.79	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR362A	Crossbucks
63798F	BNSF	B	249.62	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR374	Crossbucks
63798F	BNSF	B	246.70	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR394	Crossbucks
63798F	BNSF	B	243.03	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR17	Crossbucks
63798F	BNSF	B	241.98	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR226	Crossbucks
63798F	BNSF	B	241.47	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR261	Crossbucks
63798F	BNSF	B	241.47	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR273	Crossbucks
63798F	BNSF	B	187.47	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR297	Crossbucks
63798F	BNSF	B	206.36	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR363	Crossbucks
63798F	BNSF	B	210.78	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR387	Crossbucks
63798F	BNSF	B	212.55	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR421	Crossbucks
63798F	BNSF	B	213.55	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER		TR5	Crossbucks
63798F	BNSF	B	213.95	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER			
63798F	BNSF	B	214.20	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER			
63798F	BNSF	B	216.53	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER			
63798F	BNSF	B	224.90	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER			
63798F	BNSF	B	227.33	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER			
63798F	BNSF	B	228.99	Pub-AtGrade	GALES-QUINCY	ADAMS	Near	FOWLIER			

Crossing	Main AAR	Line	MilePost	Crossing Type	Branch	County Name	In/Near	City Name	Street Name	Highway	Warning Device
87	072621T	BNSF	Q	239.97 Pub-AtGrade	GALES-QUINCY	ADAMS	Near	CAMP POINT		TR9999T	Crossbucks
88	072623G	BNSF	Q	237.70 Pub-AtGrade	GALES-QUINCY	ADAMS	Near	GOLDEN		TR135	Crossbucks
89	072624N	BNSF	Q	238.25 Pub-AtGrade	GALES-QUINCY	ADAMS	Near	CAMP POINT		TR151	Crossbucks
90	072627J	BNSF	Q	236.50 Pub-AtGrade	GALES-QUINCY	ADAMS	Near	GOLDEN		TR123A	Crossbucks
91	072628R	BNSF	Q	243.43 Pub-AtGrade	GALES-QUINCY	ADAMS	Near	GOLDEN		TR87	Crossbucks
92	072634U	BNSF	Q	184.21 Pub-AtGrade	GALES-QUINCY	WARREN	Near	AVON		TR281	Crossbucks
93	072647V	BNSF	Q	170.53 Pub-AtGrade	GALES-QUINCY	KNOX	Near	GALFSBURG		TR271	Crossbucks
94	072648C	BNSF	Q	172.05 Pub-AtGrade	GALES-QUINCY	KNOX	Near	ABINGDON		TR265	Crossbucks
95	072649J	BNSF	Q	169.35 Pub-AtGrade	GALES-QUINCY	KNOX	Near	GALESBURG		TR257	Crossbucks
96	072803E	BNSF	Q	248.50 Pub-AtGrade	GALES-QUINCY	ADAMS	Near	PALOMA	PALOMA RD	TR240	Crossbucks
97	072805T	BNSF	Q	248.03 Pub-AtGrade	GALES-QUINCY	HANCOCK	Near	AUGUSTA		TR740	Crossbucks
98	072823R	BNSF	Q	225.47 Pub-AtGrade	GALES-QUINCY	MCDONOUGH	Near	MACOMB		TR360	Crossbucks
99	072887C	BNSF	Q	207.48 Pub-AtGrade	GALES-QUINCY	KNOX	Near	GALESBURG		TR200	Crossbucks
100	072924F	BNSF	Q	170.05 Pub-AtGrade	GALES-QUINCY	KNOX	Near	BIGGSVILLE		TR265	Crossbucks
101	072920F	BNSF	A	189.51 Pub-AtGrade	GALES-PJCT	HENDERSON	Near	BIGGSVILLE		TR190	Crossbucks
102	072920P	BNSF	A	167.70 Pub-AtGrade	GALES-PJCT	KNOX	Near	GALESBURG		TR6B	Crossbucks
103	072920H	BNSF	A	166.20 Pub-AtGrade	GALES-PJCT	KNOX	Near	GALESBURG		TR18A	Crossbucks
104	072912A	BNSF	A	168.64 Pub-AtGrade	GALES-PJCT	WARREN	Near	GALESBURG		TR246	Crossbucks
105	072913G	BNSF	A	169.75 Pub-AtGrade	GALES-PJCT	WARREN	Near	GALESBURG		TR220	Crossbucks
106	072914N	BNSF	A	170.80 Pub-AtGrade	GALES-PJCT	WARREN	Near	CAMERON		TR206	Crossbucks
107	072916C	BNSF	A	172.71 Pub-AtGrade	GALES-PJCT	WARREN	Near	CAMERON		TR174B	Crossbucks
108	072918R	BNSF	A	174.64 Pub-AtGrade	GALES-PJCT	WARREN	Near	CAMERON		TR148	Crossbucks
109	072923M	BNSF	A	176.68 Pub-AtGrade	GALES-PJCT	WARREN	Near	MONMOUTH		TR112	Crossbucks
110	072926H	BNSF	A	180.12 Pub-AtGrade	GALES-PJCT	WARREN	Near	MONMOUTH		TR131	Crossbucks
111	072927P	BNSF	A	181.14 Pub-AtGrade	GALES-PJCT	WARREN	Near	MONMOUTH		TR139	Crossbucks
112	072928W	BNSF	A	181.28 Pub-AtGrade	GALES-PJCT	WARREN	Near	MONMOUTH		TR62	Crossbucks
113	072931E	BNSF	A	183.29 Pub-AtGrade	MAIN	WARREN	Near	KIRKWOOD		TR143	Crossbucks
114	072957L	BNSF	A	42.39 Pub-AtGrade	AURORA-GALES	KENDALL	Near	MONTGOMERY	LIGHT RD	TR9	Crossbucks
115	0729612T	BNSF	A	61.23 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	SOMONAUK	E. 2375 TH	TR 400	Crossbucks
116	0729613A	BNSF	A	61.99 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	SOMONAUK	E 23RD	TR392	Crossbucks
117	0729616V	BNSF	A	64.05 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	LELAND	E 21ST	TR352	Crossbucks
118	0729620K	BNSF	A	66.60 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	LELAND	E 18TH	TR316	Crossbucks
119	0729621S	BNSF	A	67.63 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	LELAND	E 17TH	TR302	Crossbucks
120	0729622Y	BNSF	A	69.17 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	EARLVILLE	E. 1550 TH	TR268	Crossbucks
121	0729648B	BNSF	A	85.53 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	MENDOTA	E. 050TH	TR14	Crossbucks
122	0729649H	BNSF	A	86.18 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	MENDOTA	E. O TH. RD	TR4	Crossbucks
123	0729651J	BNSF	A	87.26 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	ARLINGTON	2500N	TR87	Crossbucks
124	0729655L	BNSF	A	89.02 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	MALDEN	3350E	TR390	Crossbucks
125	0729664K	BNSF	A	94.45 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	MALDEN	2100N	TR143	Crossbucks
126	0729667F	BNSF	A	96.08 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	PRINCETON	2750E	CH19	Crossbucks
127	0729679A	BNSF	A	101.19 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	BUDA	2300E	TR286	Crossbucks
128	0729708H	BNSF	A	115.61 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	NEPONSET	1300N	TR293A	Crossbucks
129	0729714L	BNSF	A	120.95 Pub-AtGrade	AURORA-GALES	LA SALLE	Near	NEPONSET	550E	TR68	Crossbucks

Crossing	Main AAR	Line	MilePost	Crossing Type	Branch	County Name	In/Near	City Name	Street Name	Highway	Warning Device	
130	079722D	BNSF	A	124.75	Pub-AtGrade	AURORA-GALES	BUREAU	Near	NEPONSET	200E	TR26	Stop Sign (standard)
131	079724S	BNSF	A	125.89	Pub-AtGrade	AURORA-GALES	BUREAU	Near	NEPONSET	100E	TR14A	Stop Sign (standard)
132	079744D	BNSF	A	133.79	Pub-AtGrade	AURORA-GALES	HENRY	Near	KEWANEE	2450 E	TR388	Stop Sign (standard)
133	079745K	BNSF	A	134.26	Pub-AtGrade	AURORA-GALES	HENRY	Near	KEWANEE	450 N	TR361	Stop Sign (standard)
134	079748F	BNSF	A	136.15	Pub-AtGrade	AURORA-GALES	HENRY	Near	GALVA	300 N	TR383A	Stop Sign (standard)
135	079749M	BNSF	A	136.83	Pub-AtGrade	AURORA-GALES	HENRY	Near	GALVA	2260E	TR354	Stop Sign (standard)
136	079750G	BNSF	A	138.18	Pub-AtGrade	AURORA-GALES	HENRY	Near	GALVA	2150 E	TR334	Stop Sign (standard)
137	079766D	BNSF	A	142.64	Pub-AtGrade	AURORA-GALES	KNOX	Near	GALVA		TR266	Crossbucks
138	079768S	BNSF	A	143.60	Pub-AtGrade	AURORA-GALES	KNOX	Near	ALTONA		TR15	Crossbucks
139	079776J	BNSF	A	149.39	Pub-AtGrade	AURORA-GALES	KNOX	Near	ONEIDA		TR192	Crossbucks
140	079787W	BNSF	A	152.73	Pub-AtGrade	AURORA-GALES	KNOX	Near	ONEIDA		TR77	Crossbucks

***** MAINTAIN PROPRIETARY CONFIDENTIALITY *****

THE B. N. S. F. RAILWAY COMPANY
 FHPM ESTIMATE FOR
 STATE OF ILLINOIS

LOCATION: XBUCK TO REPLACEMENTS DETAILS OF ESTIMATE PLAN ITEM: PSP-IL-XBKS VERSION: 1

PURPOSE, JUSTIFICATION AND DESCRIPTION

STATE OF ILLINOIS DOT STATEWIDE PROJECT TO UPGRADE CROSSBUCKS AT ALL AT-GRADE CROSSINGS
 WITH PASSIVE WARNING DEVICES ON BNSF - BILLABLE 50% TO THE STATE OF ILLINOIS

DESCRIPTION	QUANTITY	U/M	COST	TOTAL \$

LABOR				

PLACE CROSSBUCK(S)	4.00	MH	77	
PAYROLL ASSOCIATED COSTS			42	
EQUIPMENT EXPENSES			13	
DA LABOR OVERHEADS			48	
INSURANCE EXPENSES			12	
TOTAL LABOR COST			192	192

MATERIAL				

POST, SIGN, 6X6X18 FT WOOD POST	1.00	EA	57	
REFLECTORIZED FACE PLATE (2 PER POST)	1.00	EA BN	32	
SIGN, "YIELD", REFLECTIVE	1.00	EA BN	31	
SIGN, MULTIPLE TRACK #'S	1.00	EA BN	5	
SIGN, RR CROSSBUCK	1.00	EA BN	102	
SIGN, TRACKS	1.00	EA BN	9	
MATERIAL HANDLING			1	
USE TAX			9	
OFFLINE TRANSPORTATION			1	
TOTAL MATERIAL COST			247	247

OTHER				

LEASED EQUIPMENT	0.25	DAY	250	
TOTAL OTHER ITEMS COST			250	250
PROJECT SUBTOTAL				689
CONTINGENCIES				62
BILL PREPARATION FEE				4
GROSS PROJECT COST				755
LESS COST PAID BY BNSF				380
TOTAL BILLABLE COST				375

Exhibit C



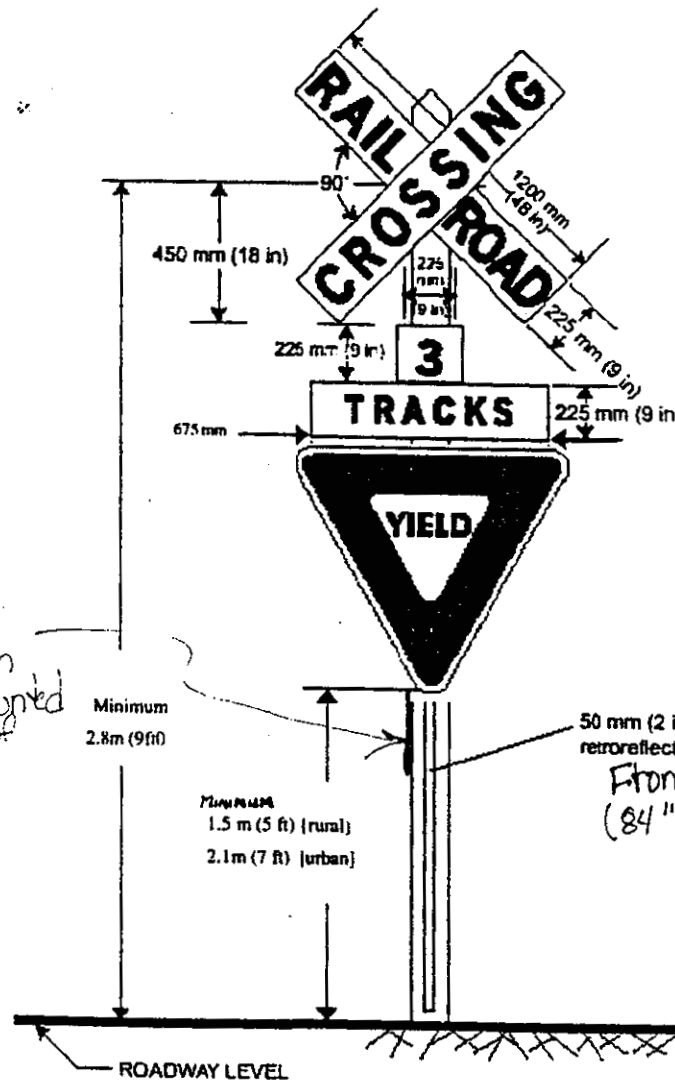
R15-1
(drilled for 90-degree mounting)



R15-2



R1-2
(36-INCH)



BNSF's
1800 sign
to be mounted
on side of
post

Minimum
2.8 m (9 ft)

Minimum
1.5 m (5 ft) (rural)
2.1 m (7 ft) (urban)

50 mm (2 in) white
retroreflective strip

Front and Back
(84") (96")

ROADWAY LEVEL

Highway-rail grade crossing (crossbuck) sign.

Total Height
18"
18"
36"
6 ft
+ 5 ft
11 ft rural
13 ft urban

166

BNSF

CHERYL L. TOWNLIAN
Manager of Public Projects

Burlington Northern Santa Fe

3253 E. Chestnut Expressway
Springfield, MO 65802
Phone (417) 829-4954
Fax (417) 829-4998

April 30, 2003

Michael E. Stead
Railroad Safety Program Administrator
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62701

Dear Mr. Stead:

This letter is in reference to the Illinois Commerce Commission Order T02-0092 dated October 23, 2003, regarding the renewal of crossbuck signs and the installation of yield signs. By this letter The Burlington Northern and Santa Fe Railway Company is requesting to be relieved of the certain dimensional requirements of Exhibit C.

BNSF is requesting that an alternate design of the combination of the crossbuck and yield sign that would have the yield sign mounted on its own separate post. Following are the issues that resulted in us requesting this change:

- Causes us to vary from our standard post of 16 ft to a post 18 ft in length. This will be a special order item that creates difficulty in both obtaining and storing.
- Most of the 140 crossing locations will require us to use the 18-ft. post due to the multiple track situations.
- Current dual STOP sign locations in Illinois are mounted on separate post. By having them on separate post we would stay uniform with the other crossings in the State.
- Having the Yield sign on a separate post does not require any deviation from the MUTCD. All previous suggestions do require a variation from the MUTCD Standard.
- Lowering the Multiple track sign below the Yield sign significantly detracts from the MUTCD and would require us to lower our 1-800 to a position on the post of about 3 ft which would no longer be visible to the driver in case of an emergency.
- The crossbuck sign will be much higher than the 9-ft. suggested by the MUTCD.
- Another alternative is to treat the Stop or Yield Sign as the auxiliary sign not the primary sign that will, by the MUTCD, allow the yield sign to be placed lower on the post.
- BNSF is still interested in trying to find a way to include Federal Section 130 dollars into this program.

AT this point BNSF is concerned that if resolution to this matter is not made quickly an extension of time will be required. Your prompt consideration of this request would be appreciated and if you need additional information, please contact me at the above number.

EXHIBIT 2

Yours very truly,

A handwritten signature in cursive script, appearing to read 'Cheryl Townlian', written in black ink.

Cheryl Townlian

Cc: John Blair - ICC

Spencer Arndt - BNSF RR

Doug Werner - BNSF RR

Lyn Hartley - BNSF RR

STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

May 20, 2003

Mrs. Cheryl L. Townlian
Manager of Public Projects
Burlington Northern Santa Fe Railway Co.
3253 E. Chestnut Expressway
Springfield, MO 65802

Dear Mrs. Townlian:

This has reference to your letter dated April 30, 2003, concerning The Burlington Northern Santa Fe Railway Company's request to modify the configuration of the new Crossbuck and Yield sign assemblies as required under the terms of Illinois Commerce Commission Order T02-0092.

This office has reviewed your company's request and finds that it is not the preferred method of installation as recommended in the National Cooperative Highway Research Program (NCHRP) Report 470. The Crossbuck and Yield sign pilot improvement project Ordered by the Commission is based on NCHRP Report 470. Therefore, we believe the Crossbuck and Yield signs should be configured as indicated on Exhibit C attached to the Commission's Order. Concerning the use of 18-foot posts to install the new Crossbuck and Yield signs, we believe the safety benefits to the motoring public of this project outweigh those concerns indicated in your letter.

I trust this information will be helpful. If you have any questions, or need additional information, please contact John Blair, Assistant Rail Safety Program Administrator, at (217) 85-8421 or jblair@icc.state.il.us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Michael E. Stead".

Michael E. Stead
Rail Safety Program Administrator

To: Lyn Hartley
Spencer Arndt
Doug Werner

FYI
Cheryl
5/30/03

EXHIBIT 3

BNSF



CHERYL L. TOWNLIAN
Manager of Public Projects

Burlington Northern Santa Fe

3253 E. Chestnut Expressway
Springfield, MO 65802
Phone (417) 829-4954
Fax (417) 829-4998

June 11, 2003

Michael E. Stead
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62701

Dear Mr. Stead,

Regarding your letter dated May 20, 2003 concerning the configuration the new Crossbuck and Yield sign assemblies as required under the terms of the Illinois commerce Commission Order T02-0092.

Based on our continued concerns on the visibility of the crossbuck sign with attached Yield and multiple track signs, BNSF would like to suggest that we install a test location in which the proposed configuration can be viewed, a suggestion that was previously discussed with Mr. John Blair of the ICC. Once the test location has been installed a joint diagnostic could then be conducted viewing the crossing at both daylight and dark to determine its effectiveness.

If this proposal is acceptable to you please let me know so that I may make arrangements for a location and installation. If you have any question or need additional information please feel to give me a call.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Cheryl Townlian".

Cheryl Townlian

Cc: Spencer Arndt
Doug Werner

EXHIBIT 4

STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

June 26, 2003

Mrs. Cheryl Townlian
Manager of Public Projects
Burlington Northern Santa Fe Railway Company
3253 E. Chestnut Expressway
Springfield, MO 65802

Dear Mrs. Townlian:

This is in response to your letter dated June 11, 2003, with which you requested this office's concurrence on a suggestion to install a proposed configuration for new Crossbuck and YIELD sign assemblies at a test location. Your company is proposing the test configuration as an alternative to the sign configuration required under the terms of Illinois Commerce Commission Order T02-0092.

This office has no objection to the BNSF installing the alternate Crossbuck and YIELD sign configuration at a multiple track crossing test location. We believe the original sign configuration, as authorized by Commission Order T02-0092, should remain in effect for single-track crossing locations.

It is my understanding that you have already discussed this issue with John Blair, Assistant Rail Safety Program Administrator. Please continue to coordinate with Mr. Blair the installation of an alternate Crossbuck and YIELD sign configuration at a multiple track crossing. In addition, please continue to submit progress reports on the status of new sign installations at single-track crossings as directed by Order T02-0092.

If you have any questions, or need additional information, please contact John Blair, Assistant Rail Safety Program Administrator, at (217) 785-8421 or jblair@icc.state.il.us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Michael E. Stead".

Michael E. Stead
Rail Safety Program Administrator

cc: Paul Nowicki, BNSF

EXHIBIT 5

PROOF OF SERVICE

Michael L. Sazdanoff, being first duly sworn on oath, deposes and says that on the 11th day of August, 2003, he caused to be served, a true and correct copy of **SUPPLEMENTAL PETITION** upon:

Mr. Michael Stead
Rail Safety Program Administrator
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62701

Mr. James L. Easterly
Division of Highways
Illinois Department of Transportation
2300 S. Dirksen Pkwy, Suite 300
Springfield, IL 62764

by depositing same in the U.S. Mail depository located at Adams and Clinton Streets, Chicago, Illinois in an envelope(s) with first-class postage, prepaid.

